

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA
for the use and benefit of
CONCRETE PLACEMENT, INC.,
et al.,

Plaintiffs,

v.

ST. PAUL FIRE AND MARINE
INSURANCE CO.


Defendant.

C.A. No. 05-480S

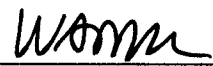
ORDER

The Report and Recommendation of United States Magistrate Judge Lincoln D. Almond filed on July 10, 2006, in the above-captioned matter is accepted pursuant to Title 28 United States Code § 636(b)(1). Defendant's Motion to Dismiss Counts I and III of the Complaint pursuant to Fed. R. Civ. P. 12(b)(6) is DENIED.

By Order,


Deputy Clerk

ENTER:


William E. Smith
United States District Judge

Date: 9/28/06